

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

EDWARD BINIEK and :  
MARIA BINIEK, :  
Plaintiffs : CIVIL ACTION NO. 3:14-1154  
v :  
: (JUDGE MANNION)  
MARMAXX OPERATING CORP. and JOFRAN SALES, INC., :  
Defendants :  
:

**ORDER**

For the reasons stated in the court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

1. Marmaxx's motions in limine, (Docs. [30](#), [32](#)), are **DENIED WITHOUT PREJUDICE**.
2. Marmaxx's motion in limine, (Doc. [34](#)), is **DENIED IN ITS ENTIRETY**.
3. Jofran's motion in limine, (Doc. [36](#)), to preclude lay opinion testimony is **GRANTED IN PART** and **DENIED IN PART**.
4. Plaintiffs' motion in limine, (Doc. [38](#)), is **DENIED, IN PART, WITHOUT PREJUDICE** and, **DENIED** regarding Ferguson's opinions that the chair was properly designed and assembled.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Dated: September 30 , 2015**